

Australian Capital Territory

Domestic Animals (Fees) Determination 2018 (No 1)

Disallowable instrument DI2018–77

made under the

Domestic Animals Act 2000, Section 144 (Determination of fees)

EXPLANATORY STATEMENT

Section 144 of the *Domestic Animals Act 2000* (the Act) provides that the Minister may determine fees for the Act.

This determination makes amendments to some fees and introduces new fees following passage of the *Domestic Animals (Dangerous Dog) Legislation Amendment Act 2017* and *Domestic Animals (Racing Greyhounds) Legislation Amendment Act 2017*.

Under the *Domestic Animals (Racing Greyhounds) Legislation Amendment Act 2017*, a person who has control of one or more racing greyhounds (for training, handling or rearing purposes) will be required to obtain a racing greyhound controller licence.

Additionally, an owner of a greyhound that is to be used for racing will be required to apply for and obtain a racing greyhound registration for that dog from the age of six months.

Racing greyhounds are also no longer automatically exempt from de-sexing requirements. The process for obtaining a permit to keep a sexually entire greyhound for the purposes of racing will be part of obtaining a racing greyhound registration, and is reflected in the fees for a racing greyhound registration.

In progressing the racing greyhound ban, the Government made it clear that the ownership, breeding and training of greyhounds in the ACT for racing outside of the ACT will be able to continue on the basis that it is at no cost to the ACT community. The fees for registering a racing greyhound and obtaining a racing greyhound controller licence reflect this decision.

Specifically, this determination:

- increases the application and renewal fee for a dangerous dog licence to \$750, consistent with the *Domestic Animals (Dangerous Dog) Legislation Amendment Act 2017*. The increase in the renewal fee for a dangerous dog licence are not related to racing greyhounds. The fee increase for a dangerous dog licence was approved as part of recent amendments to the Act, and aligns with increases to infringement notice penalties for dangerous dog offences.
- sets a 12 month registration fee for a racing greyhound at \$612. This fee includes the standard fee associated with having a sexually entire dog and also the cost of ensuring compliance with, and administering, greyhound registration. This is calculated based on a once yearly inspection, with associated follow up work;
- sets an annual application fee for a greyhound racing controller licence at \$640. The racing greyhound controller licence is a new category of special licence, which sits alongside existing special licences (e.g. a multiple dog licence). The racing greyhound controller licence reflects the cost of ensuring compliance with, and administering greyhound controller licences. This is calculated based on a once yearly inspection over four years (reflecting an average racing greyhound life of four years), with associated follow up work; and
- removes the reduced fees for a permit to have a sexually entire dog or cat. This standardises the fee for keeping a sexually entire dog or cat to \$397.80 in all circumstances, commensurate with costs for desexing a dog or cat.
 - Previously it was cheaper to keep a non desexed cat or dog in some circumstances than to have the animal desexed. Sexually entire dogs are over-represented in dog attacks, and sexually entire dogs and cats lead to unwanted litters and animal welfare abuses.
 - There are significant costs associated with responsibly breeding a dog or cat. The fee for keeping a sexually entire dog or cat should not be an incentive to keep a sexually entire animal, but rather act as a disincentive and ensure responsible breeding. It is noted that the Registrar for Domestic Animals still has the ability to waive fees.
- sets a fee for two year breeding licence. The *Domestic Animals (Dangerous Dog) Legislation Amendment Act 2017* removed an exemption clause where a breeding licence was only required where breeding was for profit or commercial gain, meaning it is now an offence to breed a cat or dog without a licence. Due to the regulatory activities associated with regulating breeding compliance a fee of \$397.80 is proposed, the same amount as the existing fee for a permit to keep a sexually entire cat or dog.

This determination gives the Registrar for Domestic Animals the ability to defer payment of a fee in cases of hardship. For example, in the case of someone struggling to pay to desex their dog the Registrar could defer the payment of annual registration for a period of time while the owner pays veterinary costs for desexing.

This determination revokes the previous fee determination [DI2017-177] that set fees for the 2017-18 financial year and establishes the new fees on 30 April 2018 when the *Domestic Animals (Racing Greyhounds) Legislation Amendment Act 2017* takes effect.

The determination takes effect on 30 April 2018.